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REMARKS

Claims 6-10, 21-22 and 26-34 were pending in the application prior to this Amendment.

Claims 6-10, 21-22 and 26-34 are subject to a restriction and election requirement.

Specifically, the Examiner states that:

> 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
>
> I. Claims 6-10, 21-22, 26-27, drawn to a method for testing an optical component, classified in class 324, subclass 158.1.
>
> II. Claims 28-34, drawn to an apparatus for testing optical component, classified in class 324, subclass 754.
>
> The inventions are distinct, each from the other because of the following reasons:
>
> 2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process as claimed does not require a holder adapted to support the high-frequency probe in a position to removably connect to the high-speed electrical component and removably connect to the optical component, as require in the apparatus. The process can be practiced by hand for holding the probe and easily testing components in device under test.
>
> 3. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.
>
> Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.
>
> The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.
>
> Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or

clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention. (December 12, 2006 Office Action, pp. 2-3)

The Applicants elect Claims 6-10, 21-22 and 26-27 and cancel Claims 28-34 without prejudice. In view of the arguments set forth herein, it is respectfully submitted that the applicable rejections have been overcome. Accordingly, it is respectfully submitted that Claims 6-10, 21-22 and 26-27 are in condition for allowance.

If there are any charges, please charge them to our Deposit Account No. 500-654.

Respectfully submitted,

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